

## **REMARKS/ARGUMENTS**

Applicant has carefully reviewed and considered the Office Action mailed on December 29, 2006, and the references cited therewith.

Claims 1, 10, 17, 23, and 29 are amended and no claims are canceled or added; as a result, claims 1-32 are now pending in this application.

### **§ 112 Rejection of the Claims**

Claims 29-32 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. As suggested by the Examiner, claim 29 was amended to include “the telecommunication application” to remove the lack of antecedent basis. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the §112 rejection of independent claim 29 as well as those claims that depend therefrom.

### **§ 102 Rejection of the Claims**

Claims 1-3, 5-9 and 23-28 were rejected under 35 USC § 102(e) as being anticipated by Nowlin, Jr. et al. (U.S. Patent No. 6,484,309). Applicant does not admit that Nowlin, Jr. is indeed prior art and respectfully reserves the right to swear behind the same at a later date.

#### **Claim 1**

Applicant respectfully submits that Nowlin, Jr. does not appear to teach all of the elements and limitations of claim 1. For example, Nowlin, Jr. does not appear to teach:

an interface module coupled between the application layer and the operating system layer, wherein the interface module receives program instructions from a program in the application layer written for a second type of operating system and processes the instructions through interpretation, translation, and conversion by directing the instructions to APIs that correctly execute the instructions

as provided in amended claim 1.

The Nowlin, Jr. reference appears to teach a method in which a translation layer is created on a non-Windows® CE computer system to operate software on a Windows® CE computer system where the translation layer communicates to the different computer systems by using the calling convention of each computer system. (col. 8, lines 6-13) The Nowlin, Jr. appears to teach a translation layer that creates a surrogate set of kernel files that allow for communication between the two computer systems. (col. 3, lines 4-18)

Although the Nowlin, Jr. reference allows for software programs written for operation on a non-Windows® CE computer system to operate on a Windows® CE computer system, the Nowlin, Jr. reference does not appear to teach an interface module that interprets, translates, and converts program instructions from a program written for a second type of operating system that can operate on a first operation system by directing the instructions to APIs that correctly execute the instructions. The translation layer created in Nowlin, Jr. that uses the calling convention of two operation systems for communication between the two operation systems does not appear to teach the interpretation, translation, and conversion as combined with other claim limitations in claim 1.

As such, the Applicant respectfully submits that each and every limitation of Applicant's independent claim 1 is not shown by the Nowlin, Jr. reference. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the §102 rejection of independent claim 1 as well as those claims that depend therefrom.

**Claim 23**

Applicant respectfully submits that Nowlin, Jr. does not appear to teach all of the elements and limitations of the invention of claim 23. For example, Nowlin, Jr. does not appear to teach:

communicating instructions from the application to an interface module, the application configured for a first type of operating system; interpreting the instructions from the application with the interface module through interpretation, translation, and conversion; and communicating the instructions from the interface module to an operating system that is the second type of operating system

as provided in amended claim 23.

As discussed above, the Nowlin, Jr. reference does not appear to teach the interpretation, translation, and conversion as combined with other claim limitations in claim 23.

As such, the Applicant respectfully submits that each and every limitation of Applicant's independent claim 23 is not shown by the Nowlin, Jr. reference. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the §102 rejection of independent claim 23 as well as those claims that depend therefrom.

*§103 Rejection of the Claims*

Claims 4, 10-22 and 29-32 were rejected under 35 USC § 103(a) as being unpatentable over Nowlin, Jr. et al. (U.S. Patent No. 6,484,309) in view of U.S. Statutory Invention Registration No. H1,921 to Fletcher et al. Applicant does not admit that Nowlin, Jr. and Fletcher are indeed prior art and respectfully reserves the right to swear behind the same at a later date. Applicant respectfully traverses the rejection as follows.

*Claim 4*

Claim 4 depends from independent claim 1. For the reasons provided above, Applicant respectfully submits that the Nowlin, Jr. reference does not appear to teach or suggest each and every element and limitation of independent claim 1.

The Fletcher reference does not cure the deficiencies of this reference. The Fletcher reference appears to teach or suggest a method that allows software entities of a call processing application to invoke operations found in other entities through the use of object broker technology. (Col. 3, Ln. 56-59)

Also, Fletcher appears to teach or suggest the use of a proxy in association with a software entity not residing in the call processing application to invoke operations of a software entity within that application. (Col. 4, Ln. 6-9) That is, the Fletcher reference does not appear to teach or suggest an interface module that

processes “instructions through interpretation, translation, and conversion by directing the instructions to APIs that correctly execute the instructions” as provided in Applicant’s independent claim 1. As such, Applicant respectfully requests reconsideration and withdrawal of the §103(a) rejection with respect to claim 4.

*Claim 10*

With regard to independent claim 10, the Examiner states that Nowlin, Jr. teaches “an interface module (Translation Layer 22) to interface the application (Windows 95/NT Application 20) designed for a second type of operating system (Win9X operating system) with the first type of operating system (Windows CE operating system/Kernal24)” (Page 7 of Office Action)

However, independent claim 10, as amended, recites:

an application layer having a home location register application thereon; an operating system layer having a first type of operating system; and an interface module to interface the home location register application designed for a second type of operating system with the first type of operating system through interpretation, translation, and conversion; and a connection for connecting the computing device to a publicly switched telephone network (PSTN).

Although the Nowlin, Jr. reference allows for software programs written for operation on a non-Windows® CE computer system to operate on a Windows® CE computer system, the Nowlin, Jr. reference does not teach or suggest an interface module that will interface the home location register application designed for a second type of operating system with the first type of operating system through interpretation, translation, and conversion, as recited in independent claim 10 as amended. The translation layer created in Nowlin, Jr. that uses the calling convention of two operation systems for communication between the two operation systems does not appear to teach or suggest the interpretation, translation, and conversion as combined with other claim limitations in claim 10.

Also, the Examiner states that Nowlin, Jr. is silent with reference to a computing device including an application layer having a home location register application thereon. However, the Examiner cites Col. 8, Ln. 37-38, Software

Entities 312, and Col. 11, Ln. 27-58 of the Fletcher reference as teaching a “computing device including an application layer having a home location register application thereon.” (Office Action page 8)

Applicant respectfully submits that the Fletcher reference appears to teach or suggest a method that allows software entities of a call processing application to invoke operations found in other entities through the use of object broker technology. (Col. 3, Ln. 56-59) Also, Fletcher appears to teach or suggest the use of a proxy in association with a software entity not residing in the call processing application to invoke operations of a software entity within that application. (Col. 4, Ln. 6-9)

Therefore, from Applicant’s review of the Fletcher reference, the reference does not cure the deficiencies of the Nowlin, Jr. reference. As such, the Nowlin, Jr. and Fletcher references do not appear to teach or suggest, either individually or in combination:

an interface module to interface the home location register application designed for a second type of operating system with the first type of operating system through interpretation, translation, and conversion

as recited in independent claim 10, as amended.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 103(a) rejection of independent claim 10, as well as those claims which depend therefrom.

### Claims 17

With regard to independent claim 17, the Examiner states that Nowlin, Jr. teaches “providing an application configured for an operating system; communicating instructions from the application to an interface module; and processing the instructions with the interface module to function with a different operating system (Translation Layer 22 Col. 2 Ln. 49-51, Col. 3 Ln. 19-56)” (Pages 9-10 of Office Action)

However, independent claim 17, as amended, recites:

providing an application configured for an operating system; communicating instructions from the application to an interface module; and processing the instructions with the interface module through interpretation, translation, and conversion to function with a different operating system.

From Applicant's review of the Nowlin, Jr. and Fletcher references as discussed above, they do not appear to teach or suggest, either individually or in combination:

processing the instructions with the interface module through interpretation, translation, and conversion to function with a different operating system

as recited in independent claim 17, as amended.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 103(a) rejection of independent claim 17, as well as those claims which depend therefrom.

*Claim 29*

With regard to independent claim 29, the Examiner states that Nowlin, Jr. teaches "communication instructions from an application to an interface module (Step 40 Col. 3 Ln. 35-56), the application configured for a first type of operating system (Win9X operating system); processing the instructions from the application with the interface module (Col. 3 Ln. 19-25, figure 3 Col. 3 Ln. 41-47; and communicating the instructions from the interface module to an operating system that is a second type of operating system (Step 44 Col. 3 Ln. 41-45)" (Page 11 of Office Action)

However, independent claim 29, as amended, recites:

communicating instructions from a telecommunications application to an interface module, the application configured for a first type of operating system; processing the instructions from the application with the interface module through interpretation, translation, and conversion; and communicating the instructions from the interface module to an operating system that is a second type of operating system.

As discussed above, the Nowlin, Jr. reference allows for software programs written for operation on a non-Windows® CE computer system to operate on a Windows® CE computer system, but does not appear to teach or suggest an interface module that processes instructions through interpretation, translation, and conversion to function with a different operating system, as recited in amended independent claim 29. The translation layer created in Nowlin, Jr. that uses the calling convention of two operation systems for communication between the two operation systems does not appear to teach or suggest the interpretation, translation, and conversion as combined with other claim limitations in claim 29.

Also, the Examiner states that Nowlin, Jr. is silent with reference to communicating instructions from a telecommunications application to an interface module, the application configured for a first type of operating system. However, the Examiner cites Col. 8, Ln. 37-38, Software Entities 312, and Col. 11, Ln. 27-58 of the Fletcher reference as teaching “communicating instructions from a telecommunications application to an interface module, the application configured for a first type of operating system.” (Office Action page 11)

Applicant respectfully submits that the Fletcher reference appears to teach or suggest a method that allows software entities of a call processing application to invoke operations found in other entities through the use of object broker technology. (Col. 3, Ln. 56-59) Also, Fletcher appears to teach or suggest the use of a proxy in association with a software entity not residing in the call processing application to invoke operations of a software entity within that application. (Col. 4, Ln. 6-9)

Therefore, from Applicant’s review of the Fletcher reference, the reference does not cure the deficiencies of the Nowlin, Jr. reference. As such, the Nowlin, Jr. and Fletcher references, do not appear to teach or suggest, either individually or in combination:

processing the instructions from the application with the interface module through interpretation, translation, and conversion  
as recited in independent claim 29, as amended.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 103(a) rejection of independent claim 29, as well as those claims which depend therefrom.

### CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney Tuan V. Ngo at (408) 447-8133 to facilitate prosecution of this matter.

At any time during the pendency of this application, please charge any additional fees or credit overpayment to the Deposit Account No. 08-2025.

**CERTIFICATE UNDER 37 CFR §1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: **MS AMENDMENT** Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on this 13<sup>th</sup> day of March, 2007.

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